

**GEORGIA STATE BOARD OF PHARMACY
BOARD MEETING
March 17, 2010
Professional Licensing Boards
237 Coliseum Drive
Macon, GA 31217**

The Georgia State Board of Pharmacy met on March 17, 2010, at the Professional Licensing Boards, 237 Coliseum Drive, Macon, GA 31217.

Members Present:

- Mickey Tatum, President
- Steve Wilson, Vice President
- Fred Barber
- Judy Gardner
- Al McConnell
- Pat McPherson
- Bill Prather
- Ronnie Wallace

Staff Present:

- Rick Karsten, GDNA
- Rick Allen, GDNA
- Sonny May, GDNA
- Jim Cope, GDNA
- Lisa Durden, Executive Director
- Carol White, Board Support Specialist
- Janet Wray, Attorney General

Visitors:

- Rob Lystad, Advance Pharmacy
- Jim Moncrief, Advance Pharmacy
- Bob Warnock, Golden Living
- Tonya Webb, Walgreens
- Brian Robinson, Walgreens
- Scott Biddulph, Target

Mickey Tatum established that a quorum was present, and called the meeting to order at 9:00 a.m.

Mr. Prather moved, Ms. Gardner seconded, and the Board voted to enter into **EXECUTIVE SESSION** in accordance with O.C.G.A §§43-1-19(h) (2) and 43-1-2(k) to review applications, deliberate on disciplinary matters, and to receive information on investigative reports. Voting in favor of the motion were those present who included Board Members, Mr. Wilson, Mr. McPherson, Mr. McConnell, Mr. Wallace and Mr. Barber.

At the conclusion of the EXECUTIVE SESSION, the Board declared an **Open Session** to vote on the matters discussed in Executive Session and to conduct other Board business.

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Rick Karsten, Georgia Drugs and Narcotics Agency Report:

- Mr. Karsten shared with the Board that GDNA is at a staffing level of the 1970's, the number of registrants has doubled and the prescription drug problem has escalated. Mr. Karsten stated that agents are required to be laws enforcement officers as well as pharmacists. A proposal has been made to increase the current Georgia Drug and Narcotic Agent salaries to that of current State Pharmacists. The GDNA is also requesting five additional agents.

Executive Director's Executive Session – Ms. Lisa Durden

- Ms. Durden presented the Board with two signed Private Consent Orders on W.E.B and C.H. Mr. Prather made a motion to accept the signed Private Consent Orders. Mr. Barber seconded the motion and it carried unanimously.

Attorney General's Executive Session – Ms. Janet Wray

- Ms. Wray provided an update on the cases in her office.
- Ms. Wray presented the Board with three signed Public Consent Orders on The Compounding Shop, Faith Pharmacy and Genevieve Reid. Mr. Prather made a motion to accept the signed Consent Orders. Mr. Barber seconded the motion and it carried unanimously.

Miscellaneous:

- Mr. Rick Allen, GDNA, gave the Board a request from Dr. M.P. requesting a personal appearance to come before the Board to request reinstatement of his license. The Board agreed to schedule an appointment for him at the May 2010 Board meeting.

Steve Wilson, Cognizant Board Member:

GDNA Case Report #A10-03: The Cognizant member recommended accepting a signed Private Consent Order on C.H. Mr. Barber made a motion to accept the Cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

GDNA Complaint #A10-07: The Cognizant member recommended accepting a signed Private Consent Order on W.E.B. Mr. McPherson made a motion to accept the Cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

GDNA Complaint #A10-09: The Cognizant member recommended scheduling an Investigative Interview. Mr. Prather made a motion to accept the Cognizant's Recommendation. Mr. Barber seconded the motion and it carried unanimously.

GDNA Complaint #B-28905: The Cognizant member recommended closing the case. Mr. Wallace made a motion to accept the Cognizant's recommendation. Mr. McConnell seconded the motion and it carried unanimously.

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GDNA Complaint #B-28911: The Cognizant member recommended closing the case. Mr. McPherson made a motion to accept the Cognizant's recommendation. Ms. Gardner seconded the motion and it carried unanimously.

GDNA Complaint #B-28943: The Cognizant member recommended the closing the case. Mr. Barber made a motion to accept the Cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

GDNA Complaint #28975: The Cognizant member recommended closing the case. Mr. Wallace made a motion to accept the Cognizant's recommendation. Mr. McConnell seconded the motion and it carried unanimously.

GDNA Complaint #B-29075: The Cognizant member recommended closing the case. Mr. Barber made a motion to accept the Cognizant's recommendation. Mr. Prather seconded the motion and it carried unanimously.

GDNA Complaint #B-29162: The Cognizant member recommended closing the case. Mr. Wallace made a motion to accept the Cognizant's recommendation. Mr. McConnell seconded the motion and it carried unanimously.

GDNA Complaint #B-29141: The Cognizant member recommended a Private Misfill Policy #2 with a \$500.00 fine to Pharmacy and Pharmacist and an explanation of corrective action taken. Mr. Prather made a motion to accept the Cognizant's recommendation. Mr. Wallace seconded the motion and it carried unanimously.

GDNA Complaint #B-29192: The Cognizant member recommended Private Misfill Policy #2 with a \$500.00 fine and give an explanation of corrective action taken. Mr. Prather made a motion to accept the Cognizant's recommendation. Mr. Barber seconded the motion and it carried unanimously.

GDNA Complaint #B-29214: The Cognizant member recommended a Letter of Concern. Mr. Prather made a motion to accept the Cognizant's recommendation. Mr. Wallace seconded the motion and it carried unanimously.

GDNA Complaint #B-29216: The Cognizant member recommended a Private Misfill Policy #1 and a Letter of Concern. Mr. Prather made a motion to accept the Cognizant's Recommendation. Mr. Barber seconded the motion and it carried unanimously.

GDNA Complaint #A-29246: The Cognizant member recommended for the first Pharmacist a Public Consent Order with Misfill Policy #2, Misfill school, \$500.00 fine to Pharmacist and Pharmacy and give an explanation of corrective action taken. The Cognizant member recommended for the second Pharmacist no violation. Mr. Prather made a motion to accept the Cognizant's recommendation. Mr. Barber seconded the motion and it carried unanimously.

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GDNA Complaint#A-29247: The Cognizant member recommended a Private Misfill Policy #1, a Letter of Concern to the Pharmacist stating that it would be in the Pharmacist's best interest to cooperate with Georgia Drugs and Narcotics Agency When they enter the Pharmacy, Misfill school, and give an explanation of corrective action taken.

10:30 Appointment - G.A.M. -Request from GAM to reconsider Board's decision. Mr. Prather made a motion to reschedule an appointment with G.A.M. for April 14, 2010 at 11:00 a.m. Ms. Gardner seconded the motion and it carried unanimously.

Request from MRH to meet with the Board regarding a Private Consent Order, docket number 2009-1884. Mr. Prather made a motion to schedule an Interview with the Board at their June 2010 Board meeting. Mr. Barber seconded the motion and it carried unanimously.

Correspondence from P.M.C. – Mr. Wilson made a motion to view as informational and take no action on the matter. Mr. Prather seconded the motion and it carried unanimously.

Request from M.H.A. to terminate probation on Private Consent Order, docket number 2004-1652. Mr. Barber made a motion to approve. Mr. Prather seconded the motion and it carried unanimously.

Request from W.M.T. to terminate probation on Private Consent Order. Ms. Gardner made a motion to approve. Mr. McConnell seconded the motion and it carried unanimously.

Request from R.C.T. to terminate probation on Private Consent Order. Ms. Gardner made a motion to approve. Mr. Wallace seconded the motion and it carried unanimously.

Applications/Licensure:

1. S.A.B. – Reinstatement Applicant. – The Board voted to schedule an appointment with the full Board at their June 2010 Board meeting in Athens, GA.
2. R.S.H. – Nuclear Pharmacist Applicant – Approved.
3. D.W. – Pharmacy Intern- More information needed from Intern.
4. K.J. – Reciprocity Application. - Approved.

Draft of February 17, 2010 Board Meeting Minutes: Mr. Prather made a motion to **approve** the Board Minutes as amended. Ms. Gardner seconded the motion and it carried unanimously.

Newly Licensed Pharmacists: Mr. Prather made a motion to approve the newly licensed Pharmacists. Mr. Barber seconded the motion and it carried unanimously.

Rule Variance request from Steven King re: Board Rule 480-10-13. Ms. Gardner made a motion to deny the request. Mr. McPherson seconded the motion and it carried unanimously.

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Correspondence from Andy Barrs, PharmD on Demand, Inc. re: Tift Regional Medical Center. Tabled until next Board meeting in April 2010.

Consideration to post Board Rule 480-13-.04 – Absence of Pharmacist. Amended.
Tabled until next Board meeting in April 2010.

Correspondence from Myraka Johnson re: OTC Patient Agent Forms – Mr. Prather made a motion that each contract must have the original signatures for the patient and the agent. Ms. Gardner seconded the motion and it carried unanimously.

Request from Crystal Fain regarding removal of Pharmacist in Charge Restriction from Public Consent Order, docket number 2009-0591 - Mr. Barber made a motion to approve request to remove Pharmacist in Charge Restriction and to deny request to change Public Consent Order to a Private Consent Order. Mr. McConnell seconded the motion and it carried unanimously.

Correspondence from Kimberley Hazelwood of DCH regarding Drug Dispensing Procedures. - The Board viewed as informational.

Correspondence regarding Disaster Preparedness CE advertised in Pharmacist's Letter.
The Board states all CE programs have to be APCE approved.

Correspondence from Brad Pine regarding Reverse Distributors License. - The Board advised that the Wholesale License covers Mr. Pine's questions regarding Reverse Distributors License.

There being no further business, the meeting adjourned at 2:30 p.m.

Malcom Tatum, President

**Minutes Prepared By: Carol White, Board Secretary
Reviewed/Edited By: Anita O. Martin, Executive Director**